

## Shell Oil Products US

Puget Sound Refinery

P.O. Box 622

Anacortes, WA 98221

Tel 360.293.0800

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Email [pugetsound@ShellOPUS.com](mailto:pugetsound@ShellOPUS.com)

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Web-Corporate [www.shellus.com](http://www.shellus.com)

April 30, 2015

### **CERTIFIED MAIL RETURN RECEIPT REQUESTED**

**7013 2250 0001 8744 0422**

Mr. Javier Morales  
U.S. EPA Region 10  
1200 Sixth Avenue, Suite 900, OCE-084  
Seattle, WA 98101

Dear Mr. Morales:

Subject: Risk Management Plan (RMP) Information Request – March 19, 2015

Equilon Enterprises LLC's Puget Sound Refinery (PSR) is submitting the information included with this letter in response to the Information Request (the Request) sent from EPA Region 10 in a letter dated March 19, 2015. PSR received that letter on March 24, 2015, and a response was originally due 30-days from that date, which is April 23, 2015. However, an email from you dated April 21, 2015, approved a 7-day extension, making the due date April 30, 2015. This response is based on our review of on-site documents and information that could be compiled within the time provided to respond.

Please note that certain documents and responses marked "Confidential Business Information" are included in folders and files marked confidential on the enclosed USB drive and may be disclosed only to those government employees having a bona fide need for access to the document(s), and may not be disclosed or made available to any member of the public in any form, whether directly or indirectly, or by summary or analysis. These documents and our responses contain proprietary, trade secret, and confidential business information (collectively CBI) that is protected by a variety of laws, including without limitation, 5 U.S.C. § 552, 18 U.S.C. § 1905, 40 C.F.R. Part 2, §§ 68.151 and 68.152, 29 U.S.C. § 664, and 29 C.F.R. § 1903.9. We request that the identified CBI be protected from disclosure permanently. This CBI represents internal company work processes that provide a competitive advantage to our company, and is subject to internal confidentiality requirements, including but not limited to, employees agreeing to manage such company information as confidential.

PSR responds to the Request to the extent it seeks information authorized by Section 114 of the Clean Air Act (the "Act"), 42 U.S.C. § 7414, but objects generally to the Request on the following grounds:

1. PSR objects generally to the Request on the grounds and to the extent that it is overly broad and burdensome, or is seeking information not authorized by the Act.
2. PSR objects generally to the instructions, terms, and questions contained in the Request on the grounds that they are irrelevant, vague, unduly burdensome, and/or unreasonably broad.

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3. PSR objects to the form of requests phrased such that any answer would appear to concede liability. PSR is providing this information in the spirit of cooperation and by responding to the following questions, PSR does not concede to liability under the Clean Air Act or EPA regulations thereunder regarding any of the information provided.
4. PSR specifically objects to information request No. 6 as over-broad, vague, and ambiguous because its request uses the undefined, overly-broad language "all the incident investigations" and "all resolutions and corrective actions." We appreciate the clarification provided by EPA subsequent to the letter, and have answered the questions to the best of our ability consistent with our understanding of EPA's clarified request, but the scope of the request as written remains unclear, and PSR requests an opportunity to discuss the response if EPA believes additional information is required.

This response is based on available information and our best understanding of the information requested. PSR reserves the right to amend its response if additional or different information is subsequently discovered.

Subject to and without waiver of its objections, PSR's response to the six RMP specific questions in Part C, Enclosure 1 of the Request, is provided below and included in the attached USB drive as referenced below with pertinent documents for certain questions.

**Q1:** The legal owner of the Puget Sound Refinery is Equilon Enterprises LLC (doing business as Shell Oil Products US).

**Q2:** Shell Puget Sound Refinery; 8505 South Texas Road, Anacortes, Washington.

**Q3:** As of the date of this letter there are 2,139 full-time Equilon Enterprises LLC (Equilon) employees. There are currently 477 full-time Equilon employees at the PSR facility. Although the company-wide estimated total number of contractors for Equilon is not readily available, at PSR it is estimated that there were on average approximately 939 contractor workers per day in 2014. This value was estimated using total contract hours reported as worked divided by 2000, the typical labor hours per year for an individual. This 2014 value is higher than a typical year due to a large maintenance turnaround activity conducted in 2014. Although the average will vary depending on the circumstances, there was an average of 536 contractors per day for March 2015, which is a more typical average when there has been no larger maintenance turnaround activity. These contractor numbers do not include contract service workers such as delivery truck drivers, restroom services, food catering companies, etc. that may be on-site for short periods of time on any given day.

**Q4:** See the included USB drive folder (RMPQ4\_PROCESS), which includes documents considered Confidential Business Information and marked CONFIDENTIAL. This folder contains a process block flow diagram of PSR (CONFIDENTIAL PSR Plant Block Diagram). The unit flow rate for each process unit is shown on this diagram. The specific RMP compounds that are present in each listed process unit above the RMP Threshold Quantity can be found in the PSR RMP document included in this folder (RMP May 2014). This folder also includes a flow diagram of the PSR flare system (CONFIDENTIAL FlareIso).

**Q5:** See the included USB drive folder (RMPQ5\_MAINT\_PROCEDURES), which includes documents considered Confidential Business Information and marked CONFIDENTIAL. This question asks for industrial standards used for maintenance of the 'scrubber units' connected to the PSR system. Because there are no 'scrubber units' on the PSR flare system, Tim Figgie of our office contacted you by phone to clarify this request. During that call it was determined that you were interested in the knock out (KO) drums, seal pots and piping equipment on our flare system. The industrial recommended practices used



for inspection and repair of this equipment include API RP 510 for pressure vessels and API RP 570 for piping. These procedures (documents API-RP-510 and API-RP-570) are found in the referenced folder along with the Plant Procedure that references and describes the use of these API standards (CONFIDENTIAL PEIPOL000 2) and a copy of the PSR "R"-stamp certification (CONFIDENTIAL 2013 R Stamp Manual). The "R"-stamp is a requirement of the Washington Department of Labor and Industries that requires repairs to pressure vessels meet the National Board Inspection Code (NBIC). All flare KO drums and seal pots are considered NBIC code vessels and are repaired and maintained consistent with the NBIC code, as applicable. Included in the referenced folder is the current edition of the Washington State Codes (WAC\_BoilerLawBook).

Employees that are or may be involved in the development and review of these procedures vary on a case-by-case basis and include, or may include, for example: Dean Overman, Pat Towell, Matthew LeCren, Dave Theusen, Parker Bryant, Chuck Hegland, Glen Gallo, Scott McPherson, Robert Towell, Lisa Claybo and Brent Welsh of the Pressure Equipment Inspection (PEI) Department. The PEI Department Manager is assigned the role of signing off on the finalization and issuance of the inspection procedures and policies.

PSR has also included copies of the East Flare shutdown operating procedures in use on the day of the odor incident, February 20, 2015 (CONFIDENTIAL 19FLARETA004 - Master). These procedures are being provided under the assumption that EPA is interested in reviewing flare operating procedures at the time of the odor incident, as well as maintenance procedures.

Operating procedures are written by subject matter specialists, who are typically qualified unit operators within the PSR Learning & Development Department, and approved by the Unit Production Specialist. Once the procedures are written, training is provided by the unit trainer to all operators that may need to use those procedures. The Operators recertify their understanding of these procedures every 3 years. In the case of the flare system, the current unit trainer is Todd Ramsay. The L&D Department Manager is Teri Mandemaker and the Training Supervisor is Janita Alto. The current flare Production Specialist is Debbie Thompson.

**Q6:** See the included USB drive (folder RMPQ6 INVESTIGATIONS), which includes documents considered Confidential Business Information and marked CONFIDENTIAL. PSR received some clarification of this question in an email from you to Tim Figgie dated April 3, 2015. In that email you requested not only incidents that meet the RMP 68.81 Incident Investigation criteria but also releases of RMP substances (listed in Enclosure 2 to EPA's letter), including 'near misses and minor incidences'. PSR had no incidents that meet the RMP incident criteria in 40 CFR 68.81. Therefore, per EPA's subsequent email, the incident investigations provided in the referenced folder are all in the category of 'near misses and minor incidences' involving the listed RMP substances.

The referenced folder in the USB drive has one subfolder for each investigation containing certain documents considered Confidential Business Information and marked CONFIDENTIAL. The number in the folder name corresponds to the internal "Fountain Incident Management" (FIM) investigation number. Within each folder is the incident report, which includes an incident description and recommended corrective actions, if any. In some cases there are additional documents in these folders such as 'timeline.vsd' or 'causetress.vsd'. These working documents are generated as part of the investigation and may be referenced in the report document. Also within each folder, the status of corrective action(s) is described in a separate document.

The signed Statement of Certification provided in Enclosure 4 of the information request can be found in Attachment 1.

Contact Mr. Tim Figgie at 360-293-1525 if you have any questions related to this information.

Sincerely,

SHELL PUGET SOUND REFINERY



Shirley Yap  
General Manager

TCF

Enclosure: USB drive and Attachment 1

cc: Ms. Suzanne Powers  
U.S. EPA, Washington Operations Office  
300 Desmond Dr. SE, Suite 102  
Lacey, WA 98503

# ATTACHMENT 1

Shell Puget Sound Refinery  
RMP Information Request Statement of Certification

Attachment 1

Puget Sound Refinery  
Shell Oil Products US  
P.O. Box 62  
Anacortes, WA 98221

**INFORMATION REQUEST**  
**STATEMENT OF CERTIFICATION**

I certify that the enclosed responses to EPA's Information Request issued to Puget Sound Refinery, Shell Oil Products US are true, accurate, and complete. I certify that the portions of these responses which I did not personally prepare were prepared by persons acting on behalf of Puget Sound Refinery, Shell Oil Products US under my supervision and at my instruction, and that the information provided is true, accurate, and complete. I am aware that there are significant penalties for submitting false information in response to this Information Request, including the possibility of fine and imprisonment.



Signature

Chet E. Yeo

Printed Name

Health and Safety, Security and Environmental Manager

Title

April 30, 2015

Date





## Shell Oil Products US

Puget Sound Refinery

P.O. Box 622

Anacortes, WA 98221

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Web-Corporate [www.shellus.com](http://www.shellus.com)

April 30, 2015

**CERTIFIED MAIL RETURN RECEIPT REQUESTED**  
**7013 2250 0001 8744 5014**

Ms. Suzanne Powers  
U.S. EPA, Washington Operations Office  
300 Desmond Dr. SE, Suite 102  
Lacey, WA 98503

Dear Ms. Powers:

Subject: CERCLA Information Request – March 19, 2015

Equilon Enterprises LLC Puget Sound Refinery (“PSR”) is submitting the information included with this letter in response to the Information Request received from Region 10 in a letter dated March 19, 2015. PSR received that letter on March 24, 2015, and a response was originally due 30-days from that date, which is April 23, 2015. However, an email from Mr. Javier Morales and yourself dated April 21, 2015, approved a 7-day extension, making the due date April 30, 2015. This response is based on our review of on-site documents and information that could be compiled within the time provided to respond.

Please note that documents and responses marked “Confidential Business Information” are included on the enclosed USB drive with “CONFIDENTIAL” in the document file names. These documents may be disclosed only to those government employees having a bona fide need for access to the document(s), and may not be disclosed or made available to any member of the public in any form, whether directly or indirectly, or by summary or analysis. These documents and our responses contain proprietary, trade secret, and confidential business information (collectively “CBI”) that is protected by a variety of laws, including without limitation, 5 U.S.C. § 552, 18 U.S.C. § 1905, 40 C.F.R. Part 2, §§ 68.151 and 68.152, 29 U.S.C. § 664, and 29 C.F.R. § 1903.9. We request that the identified CBI be protected from disclosure permanently. This CBI represents internal company work processes that provide a competitive advantage to our company, and is subject to internal confidentiality requirements, including but not limited to, employees agreeing to manage such company information as confidential.

PSR responds to the Request to the extent it seeks information authorized by Section 104(e) of the Comprehensive Environmental Response, Compensation and Liability Act (the “Act”), 42 U.S.C. §9604(e), but objects generally to the Request on the following grounds:

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1. PSR objects generally to the Request on the grounds and to the extent that it is overly broad and burdensome, or is seeking information not authorized by the Act.
2. PSR objects generally to the definitions, instructions, terms, and questions contained in the Request on the grounds that they are irrelevant, vague, unduly burdensome, and/or unreasonably broad, and to the extent the requests pertain to information that PSR was not required to maintain. In particular, PSR objects to question C.3's request for description and information about "all releases" of hazardous substances or extremely hazardous substances as overbroad and vague.
3. PSR objects to the form of requests phrased such that any answer would appear to concede liability. PSR is providing this information in the spirit of cooperation and by responding to the following questions, PSR does not concede to liability under the Act or EPA regulations thereunder regarding any of the information provided.
4. PSR specifically objects to information request No. 3 as over-broad, vague, and ambiguous because the request uses the overly-broad language "all releases."

This response is based on available information and our best understanding of the information requested. We appreciate the clarification regarding the scope of Question C.3 provided by EPA, and have answered the questions to the best of our ability consistent with our understanding of EPA's clarified request and the limited time available to respond. However, the scope of the request remains unclear as written, and PSR requests an opportunity to discuss the response if EPA believes additional information is required. PSR reserves the right to amend its response if additional or different information is subsequently discovered.

Subject to and without waiver of its objections, PSR's response to the six specific questions in Part C, Enclosure 3 of the Request, is provided below, represented by Q1 – Q6, with pertinent documents for certain questions included in the attached USB drive.

Q1: Respondent is Equilon Enterprises LLC (doing business as Shell Oil Products US). This facility is operated as Shell Puget Sound Refinery. The address is 8505 South Texas Road, Anacortes, Washington 98221.

Q2: PSR is an oil refinery that produces fuels including gasoline, diesel, jet and propane. PSR also produces nonene, a material that can be blended into gasoline or that can be used as feedstock for plastics manufacturing, elemental sulfur and petroleum coke.

Q3: The information requested is provided in emission reports on the included USB drive (CERCLA EPCRA / CERCLAQ3 RELEASES). PSR confirmed clarification of this question in an email from you to Tim Figgie dated April 14, 2015. That email clarified that this question is requesting information on releases that exceeded our permit limits. You also requested copies of the flare operating procedures that were used on February 20, 2015, the day of the PSR odor event. PSR's response to the operating procedures request can be found towards the end of this letter after our response to Q6. Also included in the referenced folder are copies of our Air Operating Permits ("AOP") listing PSR compliance requirements. There are three AOP's in the attached folder including two for the period before November 4, 2014 (AOP Cogen Old and AOP PSR Old) and one for the period beginning November 4, 2014 (AOP PSR New Nov2014).

Regarding the release documents, the referenced folder contains one document for each release with the date of the release in the document title. Documents including 'Excess Emissions' in the file name are reports that have been submitted to the local air agency, Northwest Clean Air Agency ("NWCAA") and include an incident description, the substance released, the quantity released, initial response actions, and

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the AOP term relating to the release. This information provides the data requested in question 3 (a) through (i) except for item (d), the first person to discover the release, which information is not tracked. The first person to typically discover a release is a board operator who will receive a computer alarm indicating a process unit or a specific piece of unit equipment is not operating as intended. The operator then contacts the supervisor of the unit/equipment condition and the supervisor will write an initial report. To respond to Q3(d), a separate document listing the supervisor who wrote the initial report is included (CERCLAQ3 RELEASES / CONFIDENTIAL Initial Response-114IR). The status of each corrective action contained in the reports is listed in a separate document (CONFIDENTIAL Corrective Action Tracking 114IR Excess Emissions).

Documents in the CERCLAQ3 RELEASES folder including "EPA CD Incident" in the file name are incidents that meet reporting criteria established in an EPA Consent Decree signed March 2001 ("CD"). That reporting criteria is any release from a PSR process unit of 500 lbs or more of sulfur dioxide ("SO2") in a 24-hour period. These reports were sent to EPA, an EPA contractor Matrix Environmental & Geotechnical Services, and the NWCAA. These reports include the same information as the NWCAA Excess Emissions reports although the CD is not included in our AOP. It should be noted that these CD releases are not necessarily SARA/CERCLA releases because PSR has a plant-wide SO2 limit (see AOP Permit Term 4.12 in the old AOP and 4.24 in the new AOP). A reportable SARA/CERCLA release of SO2 would need to be 500 lbs. above this SO2 limit, of which there were none. Our response to the first person responding to these releases is the same as previously described above and are included in the attached document (CONFIDENTIAL Initial Response 114IR). The status of each corrective action contained in the reports is listed in a separate document (CONFIDENTIAL Corrective Action Tracking 114IR CD).

PSR has had two CERCLA RQ releases since February 20, 2010 and descriptions of those releases are included in the CERCLAQ3 RELEASES folder (2010-06-13 DNF Spill Fountain Incident Report and 2010-07-17 DNF Spill Fountain Incident Report).

The Excess Emissions reports for the February 20, 2015 odor event are also included (2015-02-20 Excess Emissions Report and 2015-02-20 Excess Emissions Report - Emission Calcs), although this event did not exceed an emissions limit or a reportable quantity of a SARA/CERCLA compound, as shown in the attached.

Q4 and Q5: See the included USB drive folder (CERCLA Q4-5 CHEM INVENTORY). This folder contains the Tier Two Emergency Planning and Community Right to Know Act ("EPCRA") reports previously submitted to the appropriate agencies for years 2010 through 2014 for response to Q4. In response to Q5, this folder also includes a file that lists new chemicals at our facility that have been received since the 2014 Tier Two report has been submitted (SARA-312 2015 Update). Only one new chemical has been added to the PSR chemical inventory since December 31, 2014, as shown in that file. The 2014 Tier Two report (SARA-312 RY-2014 Report-and-Certified-Mail) is still valid for our current inventory of the chemicals listed in that report and then the one additional chemical provides the complete chemical inventory for PSR for 2015 year to date. This chemical inventory information is collected from on-site inventory records of PSR chemicals and materials as well as the chemical inventories of 3<sup>rd</sup> party vendors that PSR utilizes.

Q6: PSR is not aware of any other persons that can provide a more detailed or complete response to this information request.

In addition, the flare shutdown operating procedures in use on the day of the odor incident, February 20, 2015, can be found in the USB Drive folder CONFIDENTIAL CERCLA OP PROCEDURES in a document named CONFIDENTIAL 19FLARETA004 - Master. Note that these documents are considered Confidential Business Information and marked CONFIDENTIAL.


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The signed Statement of Certification provided in Enclosure 4 of the information request can be found in Attachment 1.

Contact Mr. Tim Figgie at 360-293-1525 if you have any questions related to this information.

Sincerely,

SHELL PUGET SOUND REFINERY

  
Shirley Yap  
General Manager

TCF

Enclosure: USB drive and Attachment 1

cc (w/encl.): Javier Morales  
U.S. EPA Region 10  
1200 Sixth Avenue, Suite 900, OCE-084  
Seattle, WA 98101

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## ATTACHMENT 1

Shell Puget Sound Refinery  
CERCLA Information Request Statement of Certification

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Attachment 1

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Shell Oil Products US  
P.O. Box 62  
Anacortes, WA 98221

**INFORMATION REQUEST**  
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Signature

Chet E. Yeo

Printed Name

Health, Safety, Security and Environmental Manager

Title

April 30, 2015

Date

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